

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND
NORTHERN DIVISION**

DAVID RIDGWAY, PATRICIA RIDGWAY,

Plaintiffs,

v.

NOVASTAR MORTGAGE, INC., W. LANCE
ANDERSON, CHRIS CASEY, STEVE HASLAM,
MORTGAGE ELECTRONIC REGISTRATION
SYSTEMS, R.K. ARNOLD, BILL HUFFMAN,
SAXON MORTGAGE, SCOTT RODEMAN,
STEVE FAULKNER, K.C. REYNOLDS,
MORGAN STANLEY, JOHN MACK, WALID
CHAMMAH, DEBORAH CURRAN, LAURA
O'SULLIVAN,

Defendants.

Civil Action No.

NOTICE OF REMOVAL

In accordance with 28 U.S.C. § 1441(a), defendant Nova Star Mortgage, true name NovaStar Mortgage, Inc. ("NovaStar Mortgage"), hereby removes the above-captioned lawsuit from the Circuit Court for Cecil County, Maryland, where it is currently pending, to the United States District Court for the District of Maryland. As grounds for the removal of this case, NovaStar Mortgage states as follows:

1. On or about June 10, 2009, plaintiffs David and Patricia Ridgway commenced this action by filing a Complaint in the Circuit Court for Cecil County, Maryland, Case No. C-09-242.

2. The Complaint appears to arise out of the origination of a mortgage loan that plaintiffs obtained on an unspecified date.

3. The Plaintiffs allege four counts: (1) violations of the federal Truth in Lending Act, 15 U.S.C. § 1601, *et seq.* (“TILA”), (2) possible further violations of TILA; (3) possible violations of Maryland law; and (4) a conspiracy allegation.

4. Pursuant to 28 U.S.C. § 1441(b), this action is removable because the Complaint presents a federal question. Specifically, plaintiffs assert that NovaStar Mortgage violated TILA. Compl. at pages 2-3.

5. This Notice of Removal is timely pursuant to 28 U.S.C. § 1446(b) because it is being filed within thirty days of NovaStar Mortgage’s receipt of a summons and the Complaint. NovaStar Mortgage was served with a summons and copy of the Complaint on June 15, 2009.

6. The Circuit Court for Cecil County is located within the District of Maryland, Northern Division. Therefore, venue is proper in this Court pursuant to 28 U.S.C. § 100 because it is the “district and division embracing the place where such action is pending.” 28 U.S.C. § 1441(a).

7. In accordance with 28 U.S.C. § 1446(a), and Local Rule 103.5(a), a copy of all process, pleadings, and orders served upon NovaStar Mortgage is submitted herewith. *See* Exhibit A, attached hereto.

8. According to the Clerk for the Circuit Court for Cecil County, defendants W. Lance Anderson, Chris Casey, Steve Haslam, Saxon Mortgage, Scott Rodeman, Steve Faulkner, K.C. Reynolds, Morgan Stanley, John Mack, Walid Chammah, Deborah Curran, and Laura O’Sullivan were served with the Complaint in this matter, none earlier than June 15, 2009. All defendants named in this paragraph consent to removal of this matter.

9. According to the Clerk for the Circuit Court for Cecil County, defendants Mortgage Electronic Registration Systems, R. K. Arnold, and Bill Huffman have not been served with the Complaint in this matter.

10. Upon the filing of this Notice of Removal, NovaStar Mortgage shall furnish written notice thereof to plaintiff, and shall file and serve a copy of this Notice with the Clerk of the Circuit Court for Cecil County pursuant to 28 U.S.C. § 1446(d).

Dated: July 10, 2009

Respectfully submitted,

WEINER BRODSKY SIDMAN KIDER PC

By: 

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Counsel for Defendant

NovaStar Mortgage, Inc.

CERTIFICATE OF SERVICE

I hereby certify that on this 10th day of July, 2009, a copy of the foregoing Defendant's Notice of Removal was served via first-class mail, postage pre-paid, upon the following:

David Ridgway
230 New Bridge Road
Rising Sun, Maryland 21911
Pro Se Plaintiff

Patricia Ridgway
230 New Bridge Road
Rising Sun, Maryland 21911
Pro Se Plaintiff



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